

SELECT COMMITTEE ON EFFICIENCY IN GOVERNMENT DRAFT RULES AND PROCEDURES 2011-2012

I. QUORUMS/PARLIAMENTARY PROCEDURES

A. Regular meetings of the Select Committee on Efficiency in Government (Committee) must be held in the State Capitol unless otherwise designated by the Presiding Officer.

B. Notice of regular meetings must be provided to the members and the public a minimum of ten (10) days prior to each meeting.

C. Public notice is accomplished by releasing information about the time, location, and agenda of meetings to the Committee and interested persons and by posting to the Committee's Web page.

D. Special meetings may be scheduled by a majority of members at a previous meeting or may be called by the Presiding Officer, with at least 24-hour notice to the members. Special meetings may not include agenda items that would normally require a public hearing and comment.

E. (1) Except as provided in subsection E.(2) and rule I.D., notice must be provided to the public as provided in rule I.B. for a conference call meeting of the Committee or a subcommittee that includes agenda items that involve a decision on a document or recommendation or any other item that normally involves public comment.

(2) Conference calls between staff and a quorum of Committee members acting as a committee or subcommittee that are solely for the purpose of clarifying staff work assignments may be noticed by posting a description of the time, place, and general subject matter of the call on the Legislative Branch website at least 24 hours prior to the conference call.

F. All meetings of the Committee must be conducted under the established rules of the Senate of the State of Montana as to quorums and parliamentary procedure.

II. PUBLIC PARTICIPATION GUIDELINES AND REQUIREMENTS

A. The Committee's role is to review and assess efficiency and effectiveness of state government programs and processes in four areas: the state budgeting process; health care; technology; and natural resources. Public comment should be designed to assist the Committee in its policy role.

B. The Committee is committed to providing an opportunity for effective public involvement in policy development and review in the context of efficiency and effectiveness of programs and processes affecting the state budgeting process, health care, technology, and natural resources.

C. Public comment will be taken at the discretion of the Committee's Presiding Officer.

D. Due to the necessity of time management, the Committee's Presiding Officer may limit individual public comment in order to allow an equal and fair

opportunity for public comment generally as well as for other agenda items.

E. Submission of written comments is encouraged.

F. Common courtesy is required of all parties.

G. The Committee's Presiding Officer has the discretion to recess Committee meetings when considered appropriate.

H. Recording or videotaping of Committee meetings is permissible in a manner that does not disrupt the meeting.

I. The Committee shall provide time on each full Committee meeting agenda for the public to comment on any matter not contained in the current meeting agenda and that is within the jurisdiction of the Committee.

III. **ELECTION OF OFFICERS**

A. Nominations for officers other than Presiding Officer may be made from the floor. If a Vice Presiding Officer is elected, he or she may not be from the same political party.

B. In order to be elected, a candidate shall obtain a majority of votes of all the members.

C. Members shall vote for officers, other than Presiding Officer, by voice vote or a roll call vote.

IV. **PROXY VOTES**

A. Proxies are generally discouraged, especially where a question has not received a prior hearing or where new debate occurs the day of the vote.

B. For the exercise of a proxy to be valid, the deputized member shall hold a written proxy from the absent member that specifies the question to which the proxy applies. Where a written proxy refers generally to a question but does not precisely address the question called to a vote, the Presiding Officer shall determine whether the proxy will be allowed.

V. **APPOINTMENTS**

The Presiding Officer may appoint subcommittees and the presiding officers of subcommittees.

VI. **SUBCOMMITTEES**

A. The Committee's Presiding Officer may establish subcommittees to make investigations or perform other functions as may be delegated by the Committee.

B. Subcommittee Presiding Officers and Vice Presiding Officers, if appointed, shall work closely with the Committee staff in determining research priorities within the

topic areas assigned to the subcommittees. Significant conflicts between Committee research and subcommittee research responsibilities may be referred to the Presiding Officer for resolution.

C. Subcommittee Presiding Officers shall make periodic reports and recommendations to the Committee.

D. Committee approval of subcommittee findings and recommendations is required before actions may be taken to implement the recommendations.

VII. **STAFF RESEARCH**

A. The Executive Director of the LSD or the Director's designee is responsible for managing the LSD staff's workload and the Legislative Fiscal Analyst or designee is responsible for managing the LFD staff's workload.

B. Committee staff is responsible for assisting individual Committee members on request by compiling and analyzing material relating to the Committee's statutory responsibilities as set forth in House Bill No. 642 of the 62nd Session (Ch. 380, L. 2011).

C. By the second regular meeting of the Committee, the Committee shall establish a work plan for the biennium. The work plan may be revised as determined necessary by the Committee.

D. Priority must be given to research relating to the Committee's primary study topics as identified in the approved Committee work plan.

E. Each request for information not included in the work plan shall be addressed in accordance with Chapter 19, Section V of the Legislative Branch administrative manual. Generally, each request may not exceed 16 hours of work without consulting the Presiding Officer and Vice Presiding Officer of the Committee. Requests that will exceed 40 hours of work require the approval of the Legislative Council. However, this limitation does not apply to bill drafting services.

VIII. **REVIEW COMMITTEE**

The Presiding Officer shall review or appoint a review committee for Committee publications prior to distribution.

IX. **STATUTORY DUTIES**

The Committee's duties are as provided in HB 642 of the 62nd Legislature (Ch. 380, L. 2011).

X. **TRAVEL AND EXPENSE REIMBURSEMENT**

A. The Presiding Officer is responsible for approving travel expenses for other than Committee meetings attended by Committee members and the staff that will result in requests for reimbursement from the Committee's budget.

B. Committee members shall be reimbursed for food, lodging, mileage, and miscellaneous expenses incurred in traveling to and from Committee meetings as provided by law.

C. Committee members shall be compensated for the day(s) spent in Committee meetings. Compensation for time spent traveling to and from meetings shall be paid as provided by law.

XI. **REQUESTS FOR MATERIAL**

A. Right to Know Policy:

(1) Records relating to individual privacy are protected from public scrutiny by the Constitution.

(2) All other records are subject to the right-to-know provisions of the Constitution.

(3) It is necessary for the staff to protect records from theft, loss, defacement, or alteration to prevent undue interference with the discharge of Committee functions.

B. The following procedures apply to records that are available for public inspection and copying:

(1) The Committee will make its records available for inspection and copying upon request by any person during regular office hours.

(2) The request may be oral or in writing to the Executive Director of the LSD and must reasonably identify the record wanted.

(3) The records may be inspected in an appropriate space in the State Capitol, Helena.

(4) Copies will be made at the prevailing cost at the time the copies are made. Requests for copying that involve excessive staff time may be referred to the Presiding Officer. The person making a request may be required to copy the records in the Legislative Services Division's office space.

C. The following records are not available for public inspection and copying:

(1) Personnel records, except general employment information, such as dates and duration of employment, title of position and salary.

(2) Prior to bid opening, information that would give advantage to any person bidding on publications produced by the Committee.

(3) Material prepared in anticipation of litigation that would not be available to a party in litigation with the Committee under the Montana Rules of Civil Procedure on pretrial discovery.

(4) Proprietary information, including computer programs, which is entrusted to the Committee under exclusive contract.

(5) Any other information that the Executive Director of the LSD determines to be not available because the demands of individual privacy clearly exceed the merits of public disclosure.

XII. **EMAIL**

Staff shall maintain copies of email received from the public pertaining to issues related to the work of the Committee, but is not required to forward each email to the members of the Committee, unless a member specifically requests that such email be forwarded.

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